STATE OF NEW YORK

9195--C

IN ASSEMBLY

February 12, 2024

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring mobile applications on electronic devices which provide a subscription service shall allow the cancellation of such service through its application

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 527-b to read as follows:

§ 527-b. Electronic device applications. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Electronic device" shall mean any cell phone, smart phone, or tablet used by consumers connected to a wireless telephone service.

(b) "Mobile application" shall mean third-party software developed specifically for use on electronic devices.

(c) "Digital services" shall mean services provided via the internet or an electronic network, which are delivered to the consumer through the use of electronic devices.

2. Any mobile application provider on an electronic device connected to a wireless telephone service that uses a subscription model that relies on automatic renewal on its mobile application shall provide its customers an option to cancel such subscription service through its mobile application.

3. Any mobile application that provides a subscription model that relies on automatic renewal shall post in a clear and conspicuous format a direct link or button where a consumer can terminate the automatic renewal subscription model.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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4. This section shall not apply to mobile applications that are primarily used to complement a subscription model that provides access to a physical business location.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.